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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,535	02/28/2006	Bjarne Lasse Christensen	12706/21	9902

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EXAMINER	
DUNWOODY, AARON M	
ART UNIT	PAPER NUMBER
3679	
MAIL DATE	DELIVERY MODE
09/23/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/536,535	CHRISTENSEN ET AL.	
	Examiner	Art Unit	
	Aaron M. Dunwoody	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 August 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 14-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/12/2009 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2-12, and 14-23 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 1759337, Zublin.

In regards to claim 1, Zublin discloses a connecting piece for a medical tubing, said connecting piece comprising a first unit and a second unit,

said first unit (14, 19) comprising a first connecting element for a tubing element and a second connecting element for the second unit, said second connecting element comprising a tubular female part for engagement with the second unit and first sealing elements (24),

said second unit (22) comprising a tubular male part with having a tubular portion fitting inside and surrounded by a portion of said tubular female part, and having a collar including a continuously extending delimiting edge defining a face on said male part, a connecting line between any two points along said delimiting edge in a peripheral direction of the male part being less than 90° in relation to an axial extension of said male part and said female part, and said tubular portion of said male part having second sealing elements (23') for cooperating with the first sealing elements,

said first unit and second unit comprising respective separator elements, the first sealing elements and the second sealing elements configured for being mutually lockingly engageable by moving the male part and the female part axially towards each other, said mutual locking engagement establishing a lock, by which the first unit and the second unit are kept together with said tubular portion of said male part extending inside said female part;

the separator elements comprising a face arranged on the female part and a face arranged on the male part, said faces being in abutment against each other when the first unit and the second unit are kept together by said lock, said faces being such that by a turning of the first unit in relation to the second unit an axially extending positive force component is provided for by said face on said male part riding on said face on said female part, said positive force component forcing the sealing elements to leave their mutual engagement by axial displacement of said first and said second unit from each other; and

the separator elements being arranged in relation to said sealing elements such that said separator elements are at an axial distance from said lock when the first unit and the second unit are kept together by said lock.

In regards to claim 3, Zublin discloses the delimiting edge of the collar provides at least two tongues, and being congruent with a delimiting edge defining the face on the female part.

In regards to claim 4, Zublin discloses the delimiting edge of the collar follows the shape of a wave having a uniform distance between crests of the wave.

In regards to claim 5, Zublin discloses wherein the first sealing elementscomprise an annularly extending bead arranged on an inner face of the female part; and the second sealing elements comprise an annular recess arranged on an outer face of the male part, and which also provide the lock.

In regards to claim 6, Zublin discloses the first sealing elements comprise an annular recess including delimiting side faces being essentially axially parallel with a centre axis of the female part; and t the second sealing elements comprise an annular flange for providing a second delimiting edge of the male part.

In regards to claim 7, Zublin discloses delimiting side faces of the annular flange of the male part extend taperingly in relation to a central axis of the annular flange and converge towards the second delimiting edge of the male part.

In regards to claim 8, Zublin discloses a medially arranged side face for the annular recess of the first sealing elements comprises a beveling, said beveling facing laterally.

In regards to claim 9, Zublin discloses a face of an annular bead of the female part extends taperingly and converges in a direction towards the annular recess.

In regards to claim 10, Zublin discloses the first connecting unit comprises a valve.

In regards to claim 11, Zublin discloses the valve comprises a housing having a displacer means which is displaceable within the housing and perpendicular to the central axis of the first connecting unit, being intended for regulating the passage of liquid in the first connecting unit.

In regards to claim 12, Zublin discloses the displacer means comprises stops mounted at each end of the displacer means.

In regards to claim 14, Zublin discloses device for leak-proof connection of medical tubing, said device comprising a first unit and a second unit;

said first unit comprising:

a connecting portion that is connectable to a first medical tube, a tubular female portion defining an axial direction of said device and having a through-going passage, said tubular female portion comprising first sealing elements arranged within said through-going passage, and at least one first face disposed along a periphery of said first unit,

said second unit comprising:

a connecting portion that is connectable to a second medical tube, a tubular male portion comprising second sealing elements, said tubular male portion being receivable inside said through-going passage of said tubular female portion, and at least one

second face disposed along a periphery of said second unit, said first and second sealing elements are lockable together to form a leak-proof engagement when said tubular male portion is received inside said through-going passage of said tubular female portion, said first and second sealing element engagement locking said tubular male portion against withdrawal from said tubular female portion, said at least one first face is movable along said at least one second face from said engagement and said tubular male portion being twistable relative to said tubular female portion to provide a force in said axial direction for driving said first unit away from said second unit to disengage said first sealing elements from said second sealing elements, said at least one first face is axially spaced apart from said first sealing elements and said at least one second face is axially spaced apart from said second sealing elements.

In regards to claim 15, Zublin discloses said first face winds around a part of said first unit.

In regards to claim 16, Zublin discloses said second face winds around a part of said second unit.

In regards to claim 17, Zublin discloses an inner face of said female tubular portion has an annularly extending bead defining said first sealing elements and wherein an outer face of said male tubular portion has an annular recess defining said second sealing elements.

In regards to claim 18, Zublin discloses an inner face of said female tubular portion has an annularly extending recess defining said first sealing elements and

wherein said male tubular portion has an annular projection defining said second sealing elements.

In regards to claim 19, Zublin discloses device for leak-proof connection of medical tubing, said device comprising a first unit releasably connected to a second unit; said first unit comprising:

a connecting portion that is connectable to a first medical tube, a tubular female portion defining an axial direction of said device and having a through-going passage, and at least one first face disposed along a periphery of said first unit,

said second unit comprising:

a connecting portion that is connectable to a second medical tube, a tubular male portion, and at least one second face disposed along a periphery of said second unit, said tubular male portion being received inside said through-going passage of said tubular female portion, said tubular female portion comprising first sealing elements arranged within said through-going passage, and said tubular male portion comprising second sealing elements, said first and second sealing elements being in leak-proof engagement with each other and releasably locking said tubular male portion against withdrawal from said tubular female portion, said at least one first face is movable along said at least one second face when said tubular female portion is twisted relative to said tubular male portion, to provide a force in said axial direction for driving said second unit away from said first unit to disengage said second sealing elements from said first sealing elements, said at least one first face is axially spaced apart from said first

sealing elements and said at least one second face is axially spaced apart from said second sealing elements.

In regards to claim 20, Zublin discloses said first face winds around a part of said first unit.

In regards to claim 21, Zublin discloses said second face winds around a part of said second unit.

In regards to claim 22, Zublin discloses an inner face of said female tubular portion has an annularly extending bead defining said first sealing elements and wherein an outer face of said male tubular portion has an annular recess defining said second sealing elements.

In regards to claim 24, Zublin discloses an inner face of said female tubular portion has an annularly extending recess defining said first sealing elements and wherein said male tubular portion has an annular projection defining said second sealing elements.

Response to Arguments

Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/
Primary Examiner, Art Unit 3679

.amd